THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.28217 OF 2005

DATED:3.1.2006

Between:

Lalam Appala Naidu and others

…Petitioners

And

The State of Andhra Pradesh, rep. by its

Secretary to Revenue Department,

Secretariat Building, Hyderabad and others

…Respondents

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ORDER:

The five petitioners are allegedly in possession of small extents of land in S.No.268/2P of Pendurthi Village in Visakhapatnam District. They allegedly raised huts and residing in the huts for some time. They alleged that on 28.12.2005 third respondent came to their huts along with his staff and started digging pits informing the petitioners that they are fencing the area to protect the Government land. Apprehending further coercive steps for forcible removal of petitioners' huts, petitioners are seeking appropriate orders from this Court.

Heard the learned counsel for the petitioners and the learned Assistant Government Pleader for Revenue (Assignment).

The learned Assistant Government Pleader submits that as per the instructions he has received the land in S.No.268/2P is classified as Gedda Poramboke and the petitioners are actively planning to grab the prime Government land and therefore necessary steps were being taken to fence the land. It is also submitted by the learned Assistant Government Pleader that the petitioners are financially sound and having slabbed houses in Pendurthi Village, and that they are not in possession of the land in question.

There is a dispute as to whether the petitioners are in occupation of land in S.No.268/2P of Pendurthi Village or not. Therefore, the Writ Petition is disposed of directing the Mandal Revenue Officer to conduct enquiry into the matter, and if petitioners are in possession of land, necessary action may be taken against them after following due process or law.

The Writ Petition with the above observations is accordingly disposed of.

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(V.V.S.RAO, J)

3.1.2006

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